



## City of Moraine

David D. Hicks  
City Manager

July 21, 2010

Ms. Karen Cibulskis, SR-6J  
Superfund Remedial Project Manager  
U.S. EPA  
77 W. Jackson  
Chicago, IL 60604

Dear Ms. Cibulskis:

Thank you for your continued attention to the issues relating to the South Dayton Dump in Moraine. The City is formally requesting a reuse plan for this former landfill site.

The City staff and I will be happy to provide any information at our disposal for any phase of this effort.

Potential points of contacts are:

Charles Haught, City Engineer .....	937-535-1021
Mike Hammes, City Planner .....	937-535-1037
Michael Davis, Economic Development Director .....	937-535-1034
David Hicks, City Manager .....	937-535-1002

Thanks again,

David D. Hicks, City Manager

Copy: Jim Jurgensen, President, Valley Asphalt Corp.  
Ron Barnett, President, Barnett Brothers Construction  
David Worley, Owner, Jim City Auto Salvage  
Russ Worley, Owner, Jim City Auto Salvage  
Terry Evans, President/Owner, A-Evans Air Filter Service Inc.  
Skip Freeze, President/Owner, S & J Precision, Inc.  
Bruce Mageot, President, B&G Equipment and Truck Repair Inc.





**MIAMI  
CONSERVANCY  
DISTRICT**

*BOARD OF DIRECTORS*

William E. Lukens  
Gayle B. Price, Jr.  
Thomas B. Rentschler

*GENERAL MANAGER*

Janet M. Bly

August 2, 2010

Ms. Karen Cibulskis  
Remedial Project Manager  
United States Environmental Protection Agency  
Region V  
77 West Jackson Boulevard  
Mail Code SR-6J  
Chicago, IL 60604

Dear Ms. Cibulskis:

Re: South Dayton Dump and Landfill Site – Moraine, Ohio (Site)

I am writing to you regarding proposed remedial alternatives at the above referenced site. My organization, The Miami Conservancy District (MCD) owns land in the vicinity of the site. As explained to USEPA in correspondence dated August 18, 2005, it is our position, that we are not a responsible party for the contamination at this site, however we have an interest in the disposition of the site. A recreational trail, owned by MCD and enjoyed by many area citizens is located on a portion of our property.

MCD is a conservancy district, a political subdivision of the State of Ohio, and works as a regional government agency throughout the 15-county Great Miami River Watershed. Formed in 1915, MCD provides flood protection, preservation of our water resources, and outdoor recreational opportunities along the Great Miami River.

MCD has been reviewing the following documents regarding possible remedial alternatives at the Site:

- *Remedial Investigation Report Operable Unit 1 (OU1) – Conestoga-Rovers & Associates, April 2010*
- *Baseline Risk Assessment – Conestoga-Rovers & Associates, April 2010*
- *Streamlined Feasibility Study Report Operable Unit 1 (OU1) – Conestoga-Rovers & Associates, May 2010*

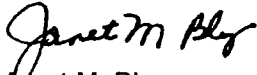
Based on our review of these documents and our interest as an adjacent property owner, we ask that the following be considered:

1. Preserve the floodplain of the Great Miami River adjacent to the site.
2. Allow continued use of the recreational trail that is located adjacent to the site.
3. Protect and preserve the long-term economic and ecological viability of the site.
4. Preserve the aesthetics of the site.
5. Preserve the wildlife habitat on and adjacent to the site.



We understand that the decision regarding the closure of the site is not taken lightly, but invite you to review appropriate remedial options and select one with respect to overall protection of human health and the environment; short and long term effectiveness; reduction of toxicity; and preservation of onsite businesses and adjacent recreational trail, while allowing for possible re-use of areas with the site.

Sincerely,

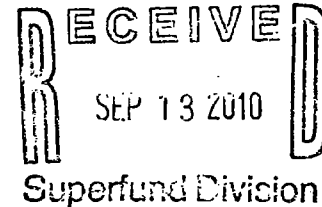


Janet M. Bly  
General Manager

c: David D. Hicks, City Manager, City of Moraine  
Jeff Hines, District Manager, Ohio EPA Southwest District,

To: Tim PRENDIVILLE  
Karen Cibulski

September 7, 2010



The Honorable Sherrod Brown  
SH -713 Hart Office Building  
Washington, DC 20510-3505

Dear Senator Brown:

We are writing as your constituents to bring to your attention and ask for your intervention to stop actions currently being considered by U.S. EPA that will significantly impact our business operations in Moraine, Ohio.

Our 10 small businesses are located on and around the 80 acre property on Dryden Road in Moraine referred to by U.S. EPA as the "South Dayton Dump and Landfill Site." Portions of this property had been licensed as a landfill for different types of materials over different periods of time since 1941, ending in 1996. However, the majority of the land during this time was never used as a landfill. In fact, many businesses have operated on this site for over 50 years with no employee health problems associated with the landfill. But potential environmental issues at the site were identified in a preliminary assessment by Ohio EPA in 1985. Subsequently, USEPA Region V and Ohio EPA conducted additional site evaluations in the early to mid-1990s and have since entered into negotiations with potential responsible parties (PRPs) to clean up the site. We disagree with the entire 80 acre site being characterized as one big landfill.

It appears Region V of U.S. EPA wants to require a multi-layer, 80 acre site wide cap as its solution to clean up the site. We respectfully disagree and believe Region V's understood solution is unnecessary from an environmental and public safety perspective, not to mention crippling to the businesses on and around the site. Moraine, like many other Ohio communities, has fallen on hard times this past decade. Many large employers, like GM and Delphi, have left Moraine, leaving in their wake unemployment, a decreasing tax base, and in certain cases, abandoned properties that have turned into environmental liabilities with few or no one left willing or able to pay the bill. We firmly believe, with your involvement on our behalf, Region V will agree to reasonable remedies for the site that are:

1. Environmentally protective;
2. Allow the site to be redeveloped in areas where a cap is eventually placed;
3. Preserve the aesthetics and wildlife on and adjacent to the site, such as the pond, trees, and bike trail; and
4. Do not destroy the businesses currently operating at the site.

The Honorable Sherrod Brown  
September 7, 2010  
Page Two

We are concerned that if Region V selects a site wide cap, all 10 businesses located on the site will be shut down and forced to either relocate or go out of business entirely. This means the 55 plus jobs and local annual revenue of \$10,000,000 will be lost, not to mention \$80,000 in local tax revenue. If forced to shut down, many of these businesses have already indicated they will not relocate in Moraine and some will close permanently. Many of these businesses have operated on the site for over half a century and because of the nature of their operations, have few alternatives.

A site wide cap would also preclude any re-use of the site in the future. Additionally, the economic impact to the surrounding communities caused by moving the asphalt plant outside the market will be severe. Obviously, increasing freight costs on hundreds of thousands of tons of asphalt will cost hundreds of thousands of dollars to the community as well as increasing the carbon footprint. Thankfully, this scenario is avoidable with your help.

The loss of another 55 jobs and \$80,000 in taxes may seem like a drop in the bucket in comparison to recent losses fresh in the memory of Moraine residents stemming from the exits of Delphi and GM. We're still in a recession, an "economic drought," and all of us are suffering. But even in a drought, a drop of water in the bucket here and there is a welcome sight. We want to do everything in our power to stay in business and help Ohio recover and we believe you want the same. This is why we need your help to reach out to Region V and ask for a reasonable site remedy that will keep our businesses in place. We ask that you contact the U.S. EPA administration both in Washington and Region V in Chicago to voice OUR concerns.

We believe that Region V will be selecting a remedy in the coming month, which is why we must act quickly. We also encourage you or your staff to visit this site and our businesses to see firsthand why we believe there is a much more reasonable and practicable solution to this site. Your support is greatly appreciated.

Sincerely,

Terry Evans  
A-Evans Air Filter

Bruce Mangeot  
B & G Equipment

Skip Freeze  
S & J Precision, Inc

Jeff Pedro  
Sim Trainer

Jim Jurgensen II  
Valley Asphalt Corporation

Jim Worley  
Jim City Auto Salvage

cc: Honorable Ted Strickland, Governor, State of Ohio  
Susan Hedman, Regional Administrator, US EPA Region V  
Richard Karl, Director, Superfund, US EPA Region V



State of Ohio Environmental Protection Agency

**STREET ADDRESS:**

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

**MAILING ADDRESS:**

P.O. Box 1049  
Columbus, OH 43216-1049

September 22, 2010

Rick Karl  
Superfund Division  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

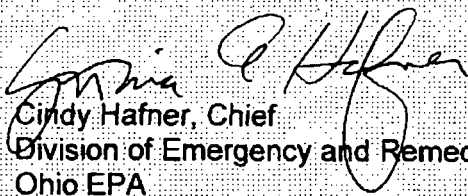
RECEIVED  
OHIO EPA  
SEP 23 2010  
Southwest District

RE: South Dayton Dump and Landfill Site, Moraine, Ohio (Site)

Dear Mr. Karl:

I am writing to you to request that we continue to find remedial options that allow the existing business on and near this site to operate and protect those business's workers and customers at the same time. Apparently this area of Ohio has been particularly impacted with the economic down turn. USEPA has required that capping alternatives which accommodate existing industrial/commercial land uses be included in the Operable Unit 1 Feasibility Study for the site and I understand that you are considering a capping alternative suggested in Conestoga Rovers & Associates August 31, 2010 letter. Both USEPA and OEPA must evaluate alternatives in accordance with criteria in the NCP that are designed to ensure the site's environmental protectiveness and here it would be beneficial, to the extent we can, to do so in a way that keeps those business operating. I know that both our staffs have been mindful of this as they have investigated the site and I encourage them to continue during so. We look forward to working with EPA throughout the RI/FS process to arrive at protective, practical solutions for the environmental problems at this site.

Sincerely,

  
Cindy Hafner, Chief  
Division of Emergency and Remedial response  
Ohio EPA

cc: Mark Allen, Ohio EPA, SWDO/DERR  
Charlotte Hickcox, Ohio EPA, Director's Office

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director